IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO.2084 OF 2005
IN
SECOND APPEAL NO.1463 OF 2005

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.C.G.Gavnekar for the applicant.
Mr.N.J.Patil for the respondent.

CORAM: D.B.BHOSALE, J.
DATED: 15TH DECEMBER, 2006

P.C.:

. Heard learned counsel for the parties.

2. The decree of partition is under challenge in the instant appeal. The appeal has already been admitted. Keeping that in view I am not inclined to grant relief as prayed for in the application. However, in my opinion, the interest of justice would be served by the following order:

. The Executing Authority shall proceed with the execution. However, there shall be stay of possession only. The parties to the proceedings are directed not to create third party rights in the properties. Civil application is disposed of. This second appeal be connected with companion second appeal nos.8518 of 2000 and 889 of 2000.

(D.B.Bhosale, J.)